



Rep. Michael J. Zalewski

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10200SB0658ham004

LRB102 11452 AWJ 38824 a

1 AMENDMENT TO SENATE BILL 658

2 AMENDMENT NO. _____. Amend Senate Bill 658 by replacing
3 everything after the enacting clause with the following:

4 "Section 5. The Illinois Municipal Code is amended by
5 changing Sections 11-74.3-5, 11-74.4-3.5, 11-74.4-4, and
6 11-74.6-10 as follows:

7 (65 ILCS 5/11-74.3-5)

8 Sec. 11-74.3-5. Definitions. The following terms as used
9 in this Law shall have the following meanings:

10 "Blighted area" means an area that is a blighted area
11 which, by reason of the predominance of defective,
12 non-existent, or inadequate street layout, unsanitary or
13 unsafe conditions, deterioration of site improvements,
14 improper subdivision or obsolete platting, or the existence of
15 conditions which endanger life or property by fire or other
16 causes, or any combination of those factors, retards the

1 provision of housing accommodations or constitutes an economic
2 or social liability, an economic underutilization of the area,
3 or a menace to the public health, safety, morals, or welfare.

4 "Business district" means a contiguous area which includes
5 only parcels of real property directly and substantially
6 benefited by the proposed business district plan. A business
7 district may, but need not be, a blighted area, but no
8 municipality shall be authorized to impose taxes pursuant to
9 subsection (10) or (11) of Section 11-74.3-3 in a business
10 district which has not been determined by ordinance to be a
11 blighted area under this Law. For purposes of this Division,
12 parcels are contiguous if they touch or join one another in a
13 reasonably substantial physical sense or if they meet the
14 criteria for annexation to a municipality under Section 7-1-1
15 of this Code. The changes made by this amendatory Act of the
16 102nd General Assembly, are declarative of existing law and
17 shall be applied retroactively when substantively applicable,
18 including all pending actions without regard to when the cause
19 of action accrued; however, this amendatory Act of the 102nd
20 General Assembly does not affect the rights of any party that
21 is subject to a final judgment entered pursuant to the
22 September 23, 2021 opinion of the Illinois Supreme Court in
23 Board of Education of Richland School District 88A v. City of
24 Crest Hill, 2021 IL 126444.

25 "Business district plan" shall mean the written plan for
26 the development or redevelopment of a business district. Each

1 business district plan shall set forth in writing: (i) a
2 specific description of the boundaries of the proposed
3 business district, including a map illustrating the
4 boundaries; (ii) a general description of each project
5 proposed to be undertaken within the business district,
6 including a description of the approximate location of each
7 project and a description of any developer, user, or tenant of
8 any property to be located or improved within the proposed
9 business district; (iii) the name of the proposed business
10 district; (iv) the estimated business district project costs;
11 (v) the anticipated source of funds to pay business district
12 project costs; (vi) the anticipated type and terms of any
13 obligations to be issued; and (vii) the rate of any tax to be
14 imposed pursuant to subsection (10) or (11) of Section
15 11-74.3-3 and the period of time for which the tax shall be
16 imposed.

17 "Business district project costs" shall mean and include
18 the sum total of all costs incurred by a municipality, other
19 governmental entity, or nongovernmental person in connection
20 with a business district, in the furtherance of a business
21 district plan, including, without limitation, the following:

22 (1) costs of studies, surveys, development of plans
23 and specifications, implementation and administration of a
24 business district plan, and personnel and professional
25 service costs including architectural, engineering, legal,
26 marketing, financial, planning, or other professional

1 services, provided that no charges for professional
2 services may be based on a percentage of tax revenues
3 received by the municipality;

4 (2) property assembly costs, including but not limited
5 to, acquisition of land and other real or personal
6 property or rights or interests therein, and specifically
7 including payments to developers or other nongovernmental
8 persons as reimbursement for property assembly costs
9 incurred by that developer or other nongovernmental
10 person;

11 (3) site preparation costs, including but not limited
12 to clearance, demolition or removal of any existing
13 buildings, structures, fixtures, utilities, and
14 improvements and clearing and grading of land;

15 (4) costs of installation, repair, construction,
16 reconstruction, extension, or relocation of public
17 streets, public utilities, and other public site
18 improvements within or without the business district which
19 are essential to the preparation of the business district
20 for use in accordance with the business district plan, and
21 specifically including payments to developers or other
22 nongovernmental persons as reimbursement for site
23 preparation costs incurred by the developer or
24 nongovernmental person;

25 (5) costs of renovation, rehabilitation,
26 reconstruction, relocation, repair, or remodeling of any

1 existing buildings, improvements, and fixtures within the
2 business district, and specifically including payments to
3 developers or other nongovernmental persons as
4 reimbursement for costs incurred by those developers or
5 nongovernmental persons;

6 (6) costs of installation or construction within the
7 business district of buildings, structures, works,
8 streets, improvements, equipment, utilities, or fixtures,
9 and specifically including payments to developers or other
10 nongovernmental persons as reimbursements for such costs
11 incurred by such developer or nongovernmental person;

12 (7) financing costs, including but not limited to all
13 necessary and incidental expenses related to the issuance
14 of obligations, payment of any interest on any obligations
15 issued under this Law that accrues during the estimated
16 period of construction of any development or redevelopment
17 project for which those obligations are issued and for not
18 exceeding 36 months thereafter, and any reasonable
19 reserves related to the issuance of those obligations; and

20 (8) relocation costs to the extent that a municipality
21 determines that relocation costs shall be paid or is
22 required to make payment of relocation costs by federal or
23 State law.

24 "Business district tax allocation fund" means the special
25 fund to be established by a municipality for a business
26 district as provided in Section 11-74.3-6.

1 "Dissolution date" means the date on which the business
2 district tax allocation fund shall be dissolved. The
3 dissolution date shall be not later than 270 days following
4 payment to the municipality of the last distribution of taxes
5 as provided in Section 11-74.3-6.

6 (Source: P.A. 99-452, eff. 1-1-16.)

7 (65 ILCS 5/11-74.4-3.5)

8 Sec. 11-74.4-3.5. Completion dates for redevelopment
9 projects.

10 (a) Unless otherwise stated in this Section, the estimated
11 dates of completion of the redevelopment project and
12 retirement of obligations issued to finance redevelopment
13 project costs (including refunding bonds under Section
14 11-74.4-7) may not be later than December 31 of the year in
15 which the payment to the municipal treasurer, as provided in
16 subsection (b) of Section 11-74.4-8 of this Act, is to be made
17 with respect to ad valorem taxes levied in the 23rd calendar
18 year after the year in which the ordinance approving the
19 redevelopment project area was adopted if the ordinance was
20 adopted on or after January 15, 1981.

21 (a-5) If the redevelopment project area is located within
22 a transit facility improvement area established pursuant to
23 Section 11-74.4-3, the estimated dates of completion of the
24 redevelopment project and retirement of obligations issued to
25 finance redevelopment project costs (including refunding bonds

1 under Section 11-74.4-7) may not be later than December 31 of
2 the year in which the payment to the municipal treasurer, as
3 provided in subsection (b) of Section 11-74.4-8 of this Act,
4 is to be made with respect to ad valorem taxes levied in the
5 35th calendar year after the year in which the ordinance
6 approving the redevelopment project area was adopted.

7 (a-7) A municipality may adopt tax increment financing for
8 a redevelopment project area located in a transit facility
9 improvement area that also includes real property located
10 within an existing redevelopment project area established
11 prior to August 12, 2016 (the effective date of Public Act
12 99-792). In such case: (i) the provisions of this Division
13 shall apply with respect to the previously established
14 redevelopment project area until the municipality adopts, as
15 required in accordance with applicable provisions of this
16 Division, an ordinance dissolving the special tax allocation
17 fund for such redevelopment project area and terminating the
18 designation of such redevelopment project area as a
19 redevelopment project area; and (ii) after the effective date
20 of the ordinance described in (i), the provisions of this
21 Division shall apply with respect to the subsequently
22 established redevelopment project area located in a transit
23 facility improvement area.

24 (b) The estimated dates of completion of the redevelopment
25 project and retirement of obligations issued to finance
26 redevelopment project costs (including refunding bonds under

1 Section 11-74.4-7) may not be later than December 31 of the
2 year in which the payment to the municipal treasurer as
3 provided in subsection (b) of Section 11-74.4-8 of this Act is
4 to be made with respect to ad valorem taxes levied in the 32nd
5 calendar year after the year in which the ordinance approving
6 the redevelopment project area was adopted if the ordinance
7 was adopted on September 9, 1999 by the Village of Downs.

8 The estimated dates of completion of the redevelopment
9 project and retirement of obligations issued to finance
10 redevelopment project costs (including refunding bonds under
11 Section 11-74.4-7) may not be later than December 31 of the
12 year in which the payment to the municipal treasurer as
13 provided in subsection (b) of Section 11-74.4-8 of this Act is
14 to be made with respect to ad valorem taxes levied in the 33rd
15 calendar year after the year in which the ordinance approving
16 the redevelopment project area was adopted if the ordinance
17 was adopted on May 20, 1985 by the Village of Wheeling.

18 The estimated dates of completion of the redevelopment
19 project and retirement of obligations issued to finance
20 redevelopment project costs (including refunding bonds under
21 Section 11-74.4-7) may not be later than December 31 of the
22 year in which the payment to the municipal treasurer as
23 provided in subsection (b) of Section 11-74.4-8 of this Act is
24 to be made with respect to ad valorem taxes levied in the 28th
25 calendar year after the year in which the ordinance approving
26 the redevelopment project area was adopted if the ordinance

1 was adopted on October 12, 1989 by the City of Lawrenceville.

2 (c) The estimated dates of completion of the redevelopment
3 project and retirement of obligations issued to finance
4 redevelopment project costs (including refunding bonds under
5 Section 11-74.4-7) may not be later than December 31 of the
6 year in which the payment to the municipal treasurer as
7 provided in subsection (b) of Section 11-74.4-8 of this Act is
8 to be made with respect to ad valorem taxes levied in the 35th
9 calendar year after the year in which the ordinance approving
10 the redevelopment project area was adopted:

11 (1) If the ordinance was adopted before January 15,
12 1981.

13 (2) If the ordinance was adopted in December 1983,
14 April 1984, July 1985, or December 1989.

15 (3) If the ordinance was adopted in December 1987 and
16 the redevelopment project is located within one mile of
17 Midway Airport.

18 (4) If the ordinance was adopted before January 1,
19 1987 by a municipality in Mason County.

20 (5) If the municipality is subject to the Local
21 Government Financial Planning and Supervision Act or the
22 Financially Distressed City Law.

23 (6) If the ordinance was adopted in December 1984 by
24 the Village of Rosemont.

25 (7) If the ordinance was adopted on December 31, 1986
26 by a municipality located in Clinton County for which at

1 least \$250,000 of tax increment bonds were authorized on
2 June 17, 1997, or if the ordinance was adopted on December
3 31, 1986 by a municipality with a population in 1990 of
4 less than 3,600 that is located in a county with a
5 population in 1990 of less than 34,000 and for which at
6 least \$250,000 of tax increment bonds were authorized on
7 June 17, 1997.

8 (8) If the ordinance was adopted on October 5, 1982 by
9 the City of Kankakee, or if the ordinance was adopted on
10 December 29, 1986 by East St. Louis.

11 (9) If the ordinance was adopted on November 12, 1991
12 by the Village of Sauget.

13 (10) If the ordinance was adopted on February 11, 1985
14 by the City of Rock Island.

15 (11) If the ordinance was adopted before December 18,
16 1986 by the City of Moline.

17 (12) If the ordinance was adopted in September 1988 by
18 Sauk Village.

19 (13) If the ordinance was adopted in October 1993 by
20 Sauk Village.

21 (14) If the ordinance was adopted on December 29, 1986
22 by the City of Galva.

23 (15) If the ordinance was adopted in March 1991 by the
24 City of Centreville.

25 (16) If the ordinance was adopted on January 23, 1991
26 by the City of East St. Louis.

1 (17) If the ordinance was adopted on December 22, 1986
2 by the City of Aledo.

3 (18) If the ordinance was adopted on February 5, 1990
4 by the City of Clinton.

5 (19) If the ordinance was adopted on September 6, 1994
6 by the City of Freeport.

7 (20) If the ordinance was adopted on December 22, 1986
8 by the City of Tuscola.

9 (21) If the ordinance was adopted on December 23, 1986
10 by the City of Sparta.

11 (22) If the ordinance was adopted on December 23, 1986
12 by the City of Beardstown.

13 (23) If the ordinance was adopted on April 27, 1981,
14 October 21, 1985, or December 30, 1986 by the City of
15 Belleville.

16 (24) If the ordinance was adopted on December 29, 1986
17 by the City of Collinsville.

18 (25) If the ordinance was adopted on September 14,
19 1994 by the City of Alton.

20 (26) If the ordinance was adopted on November 11, 1996
21 by the City of Lexington.

22 (27) If the ordinance was adopted on November 5, 1984
23 by the City of LeRoy.

24 (28) If the ordinance was adopted on April 3, 1991 or
25 June 3, 1992 by the City of Markham.

26 (29) If the ordinance was adopted on November 11, 1986

1 by the City of Pekin.

2 (30) If the ordinance was adopted on December 15, 1981
3 by the City of Champaign.

4 (31) If the ordinance was adopted on December 15, 1986
5 by the City of Urbana.

6 (32) If the ordinance was adopted on December 15, 1986
7 by the Village of Heyworth.

8 (33) If the ordinance was adopted on February 24, 1992
9 by the Village of Heyworth.

10 (34) If the ordinance was adopted on March 16, 1995 by
11 the Village of Heyworth.

12 (35) If the ordinance was adopted on December 23, 1986
13 by the Town of Cicero.

14 (36) If the ordinance was adopted on December 30, 1986
15 by the City of Effingham.

16 (37) If the ordinance was adopted on May 9, 1991 by the
17 Village of Tilton.

18 (38) If the ordinance was adopted on October 20, 1986
19 by the City of Elmhurst.

20 (39) If the ordinance was adopted on January 19, 1988
21 by the City of Waukegan.

22 (40) If the ordinance was adopted on September 21,
23 1998 by the City of Waukegan.

24 (41) If the ordinance was adopted on December 31, 1986
25 by the City of Sullivan.

26 (42) If the ordinance was adopted on December 23, 1991

1 by the City of Sullivan.

2 (43) If the ordinance was adopted on December 31, 1986
3 by the City of Oglesby.

4 (44) If the ordinance was adopted on July 28, 1987 by
5 the City of Marion.

6 (45) If the ordinance was adopted on April 23, 1990 by
7 the City of Marion.

8 (46) If the ordinance was adopted on August 20, 1985
9 by the Village of Mount Prospect.

10 (47) If the ordinance was adopted on February 2, 1998
11 by the Village of Woodhull.

12 (48) If the ordinance was adopted on April 20, 1993 by
13 the Village of Princeville.

14 (49) If the ordinance was adopted on July 1, 1986 by
15 the City of Granite City.

16 (50) If the ordinance was adopted on February 2, 1989
17 by the Village of Lombard.

18 (51) If the ordinance was adopted on December 29, 1986
19 by the Village of Gardner.

20 (52) If the ordinance was adopted on July 14, 1999 by
21 the Village of Paw Paw.

22 (53) If the ordinance was adopted on November 17, 1986
23 by the Village of Franklin Park.

24 (54) If the ordinance was adopted on November 20, 1989
25 by the Village of South Holland.

26 (55) If the ordinance was adopted on July 14, 1992 by

1 the Village of Riverdale.

2 (56) If the ordinance was adopted on December 29, 1986
3 by the City of Galesburg.

4 (57) If the ordinance was adopted on April 1, 1985 by
5 the City of Galesburg.

6 (58) If the ordinance was adopted on May 21, 1990 by
7 the City of West Chicago.

8 (59) If the ordinance was adopted on December 16, 1986
9 by the City of Oak Forest.

10 (60) If the ordinance was adopted in 1999 by the City
11 of Villa Grove.

12 (61) If the ordinance was adopted on January 13, 1987
13 by the Village of Mt. Zion.

14 (62) If the ordinance was adopted on December 30, 1986
15 by the Village of Manteno.

16 (63) If the ordinance was adopted on April 3, 1989 by
17 the City of Chicago Heights.

18 (64) If the ordinance was adopted on January 6, 1999
19 by the Village of Rosemont.

20 (65) If the ordinance was adopted on December 19, 2000
21 by the Village of Stone Park.

22 (66) If the ordinance was adopted on December 22, 1986
23 by the City of DeKalb.

24 (67) If the ordinance was adopted on December 2, 1986
25 by the City of Aurora.

26 (68) If the ordinance was adopted on December 31, 1986

1 by the Village of Milan.

2 (69) If the ordinance was adopted on September 8, 1994
3 by the City of West Frankfort.

4 (70) If the ordinance was adopted on December 23, 1986
5 by the Village of Libertyville.

6 (71) If the ordinance was adopted on December 22, 1986
7 by the Village of Hoffman Estates.

8 (72) If the ordinance was adopted on September 17,
9 1986 by the Village of Sherman.

10 (73) If the ordinance was adopted on December 16, 1986
11 by the City of Macomb.

12 (74) If the ordinance was adopted on June 11, 2002 by
13 the City of East Peoria to create the West Washington
14 Street TIF.

15 (75) If the ordinance was adopted on June 11, 2002 by
16 the City of East Peoria to create the Camp Street TIF.

17 (76) If the ordinance was adopted on August 7, 2000 by
18 the City of Des Plaines.

19 (77) If the ordinance was adopted on December 22, 1986
20 by the City of Washington to create the Washington Square
21 TIF #2.

22 (78) If the ordinance was adopted on December 29, 1986
23 by the City of Morris.

24 (79) If the ordinance was adopted on July 6, 1998 by
25 the Village of Steeleville.

26 (80) If the ordinance was adopted on December 29, 1986

1 by the City of Pontiac to create TIF I (the Main St TIF).

2 (81) If the ordinance was adopted on December 29, 1986
3 by the City of Pontiac to create TIF II (the Interstate
4 TIF).

5 (82) If the ordinance was adopted on November 6, 2002
6 by the City of Chicago to create the Madden/Wells TIF
7 District.

8 (83) If the ordinance was adopted on November 4, 1998
9 by the City of Chicago to create the Roosevelt/Racine TIF
10 District.

11 (84) If the ordinance was adopted on June 10, 1998 by
12 the City of Chicago to create the Stony Island
13 Commercial/Burnside Industrial Corridors TIF District.

14 (85) If the ordinance was adopted on November 29, 1989
15 by the City of Chicago to create the Englewood Mall TIF
16 District.

17 (86) If the ordinance was adopted on December 27, 1986
18 by the City of Mendota.

19 (87) If the ordinance was adopted on December 31, 1986
20 by the Village of Cahokia.

21 (88) If the ordinance was adopted on September 20,
22 1999 by the City of Belleville.

23 (89) If the ordinance was adopted on December 30, 1986
24 by the Village of Bellevue to create the Bellevue TIF
25 District 1.

26 (90) If the ordinance was adopted on December 13, 1993

1 by the Village of Crete.

2 (91) If the ordinance was adopted on February 12, 2001
3 by the Village of Crete.

4 (92) If the ordinance was adopted on April 23, 2001 by
5 the Village of Crete.

6 (93) If the ordinance was adopted on December 16, 1986
7 by the City of Champaign.

8 (94) If the ordinance was adopted on December 20, 1986
9 by the City of Charleston.

10 (95) If the ordinance was adopted on June 6, 1989 by
11 the Village of Romeoville.

12 (96) If the ordinance was adopted on October 14, 1993
13 and amended on August 2, 2010 by the City of Venice.

14 (97) If the ordinance was adopted on June 1, 1994 by
15 the City of Markham.

16 (98) If the ordinance was adopted on May 19, 1998 by
17 the Village of Bensenville.

18 (99) If the ordinance was adopted on November 12, 1987
19 by the City of Dixon.

20 (100) If the ordinance was adopted on December 20,
21 1988 by the Village of Lansing.

22 (101) If the ordinance was adopted on October 27, 1998
23 by the City of Moline.

24 (102) If the ordinance was adopted on May 21, 1991 by
25 the Village of Glenwood.

26 (103) If the ordinance was adopted on January 28, 1992

1 by the City of East Peoria.

2 (104) If the ordinance was adopted on December 14,
3 1998 by the City of Carlyle.

4 (105) If the ordinance was adopted on May 17, 2000, as
5 subsequently amended, by the City of Chicago to create the
6 Midwest Redevelopment TIF District.

7 (106) If the ordinance was adopted on September 13,
8 1989 by the City of Chicago to create the Michigan/Cermak
9 Area TIF District.

10 (107) If the ordinance was adopted on March 30, 1992
11 by the Village of Ohio.

12 (108) If the ordinance was adopted on July 6, 1998 by
13 the Village of Orangeville.

14 (109) If the ordinance was adopted on December 16,
15 1997 by the Village of Germantown.

16 (110) If the ordinance was adopted on April 28, 2003
17 by Gibson City.

18 (111) If the ordinance was adopted on December 18,
19 1990 by the Village of Washington Park, but only after the
20 Village of Washington Park becomes compliant with the
21 reporting requirements under subsection (d) of Section
22 11-74.4-5, and after the State Comptroller's certification
23 of such compliance.

24 (112) If the ordinance was adopted on February 28,
25 2000 by the City of Harvey.

26 (113) If the ordinance was adopted on January 11, 1991

1 by the City of Chicago to create the Read/Dunning TIF
2 District.

3 (114) If the ordinance was adopted on July 24, 1991 by
4 the City of Chicago to create the Sanitary and Ship Canal
5 TIF District.

6 (115) If the ordinance was adopted on December 4, 2007
7 by the City of Naperville.

8 (116) If the ordinance was adopted on July 1, 2002 by
9 the Village of Arlington Heights.

10 (117) If the ordinance was adopted on February 11,
11 1991 by the Village of Machesney Park.

12 (118) If the ordinance was adopted on December 29,
13 1993 by the City of Ottawa.

14 (119) If the ordinance was adopted on June 4, 1991 by
15 the Village of Lansing.

16 (120) If the ordinance was adopted on February 10,
17 2004 by the Village of Fox Lake.

18 (121) If the ordinance was adopted on December 22,
19 1992 by the City of Fairfield.

20 (122) If the ordinance was adopted on February 10,
21 1992 by the City of Mt. Sterling.

22 (123) If the ordinance was adopted on March 15, 2004
23 by the City of Batavia.

24 (124) If the ordinance was adopted on March 18, 2002
25 by the Village of Lake Zurich.

26 (125) If the ordinance was adopted on September 23,

1 1997 by the City of Granite City.

2 (126) If the ordinance was adopted on May 8, 2013 by
3 the Village of Rosemont to create the Higgins Road/River
4 Road TIF District No. 6.

5 (127) If the ordinance was adopted on November 22,
6 1993 by the City of Arcola.

7 (128) If the ordinance was adopted on September 7,
8 2004 by the City of Arcola.

9 (129) If the ordinance was adopted on November 29,
10 1999 by the City of Paris.

11 (130) If the ordinance was adopted on September 20,
12 1994 by the City of Ottawa to create the U.S. Route 6 East
13 Ottawa TIF.

14 (131) If the ordinance was adopted on May 2, 2002 by
15 the Village of Crestwood.

16 (132) If the ordinance was adopted on October 27, 1992
17 by the City of Blue Island.

18 (133) If the ordinance was adopted on December 23,
19 1993 by the City of Lacon.

20 (134) If the ordinance was adopted on May 4, 1998 by
21 the Village of Bradford.

22 (135) If the ordinance was adopted on June 11, 2002 by
23 the City of Oak Forest.

24 (136) If the ordinance was adopted on November 16,
25 1992 by the City of Pinckneyville.

26 (137) If the ordinance was adopted on March 1, 2001 by

1 the Village of South Jacksonville.

2 (138) If the ordinance was adopted on February 26,
3 1992 by the City of Chicago to create the Stockyards
4 Southeast Quadrant TIF District.

5 (139) If the ordinance was adopted on January 25, 1993
6 by the City of LaSalle.

7 (140) If the ordinance was adopted on December 23,
8 1997 by the Village of Dieterich.

9 (141) If the ordinance was adopted on February 10,
10 2016 by the Village of Rosemont to create the
11 Balmoral/Pearl TIF No. 8 Tax Increment Financing
12 Redevelopment Project Area.

13 (142) If the ordinance was adopted on June 11, 2002 by
14 the City of Oak Forest.

15 (143) If the ordinance was adopted on January 31, 1995
16 by the Village of Milledgeville.

17 (144) If the ordinance was adopted on February 5, 1996
18 by the Village of Pearl City.

19 (145) If the ordinance was adopted on December 21,
20 1994 by the City of Calumet City.

21 (146) If the ordinance was adopted on May 5, 2003 by
22 the Town of Normal.

23 (147) If the ordinance was adopted on June 2, 1998 by
24 the City of Litchfield.

25 (148) If the ordinance was adopted on October 23, 1995
26 by the City of Marion.

1 (149) If the ordinance was adopted on May 24, 2001 by
2 the Village of Hanover Park.

3 (150) If the ordinance was adopted on May 30, 1995 by
4 the Village of Dalzell.

5 (151) If the ordinance was adopted on April 15, 1997
6 by the City of Edwardsville.

7 (152) If the ordinance was adopted on September 5,
8 1995 by the City of Granite City.

9 (153) If the ordinance was adopted on June 21, 1999 by
10 the Village of Table Grove.

11 (154) If the ordinance was adopted on February 23,
12 1995 by the City of Springfield.

13 (155) If the ordinance was adopted on August 11, 1999
14 by the City of Monmouth.

15 (156) If the ordinance was adopted on December 26,
16 1995 by the Village of Posen.

17 (157) If the ordinance was adopted on July 1, 1995 by
18 the Village of Caseyville.

19 (158) If the ordinance was adopted on January 30, 1996
20 by the City of Madison.

21 (159) If the ordinance was adopted on February 2, 1996
22 by the Village of Hartford.

23 (160) If the ordinance was adopted on July 2, 1996 by
24 the Village of Manlius.

25 (161) If the ordinance was adopted on March 21, 2000
26 by the City of Hoopeston.

1 (162) If the ordinance was adopted on March 22, 2005
2 by the City of Hoopeston.

3 (163) If the ordinance was adopted on July 10, 1996 by
4 the City of Chicago to create the Goose Island TIF
5 District.

6 (164) If the ordinance was adopted on December 11,
7 1996 by the City of Chicago to create the Bryn
8 Mawr/Broadway TIF District.

9 (165) If the ordinance was adopted on December 31,
10 1995 by the City of Chicago to create the 95th/Western TIF
11 District.

12 (166) If the ordinance was adopted on October 7, 1998
13 by the City of Chicago to create the 71st and Stony Island
14 TIF District.

15 (167) If the ordinance was adopted on April 19, 1995
16 by the Village of North Utica.

17 (168) If the ordinance was adopted on April 22, 1996
18 by the City of LaSalle.

19 (169) If the ordinance was adopted on June 9, 2008 by
20 the City of Country Club Hills.

21 (170) If the ordinance was adopted on July 3, 1996 by
22 the Village of Phoenix.

23 (171) If the ordinance was adopted on May 19, 1997 by
24 the Village of Swansea.

25 (172) If the ordinance was adopted on August 13, 2001
26 by the Village of Saunemin.

1 (173) If the ordinance was adopted on January 10, 2005
2 by the Village of Romeoville.

3 (174) If the ordinance was adopted on January 28, 1997
4 by the City of Berwyn for the South Berwyn Corridor Tax
5 Increment Financing District.

6 (175) If the ordinance was adopted on January 28, 1997
7 by the City of Berwyn for the Roosevelt Road Tax Increment
8 Financing District.

9 (176) If the ordinance was adopted on May 3, 2001 by
10 the Village of Hanover Park for the Village Center Tax
11 Increment Financing Redevelopment Project Area (TIF # 3).

12 (177) If the ordinance was adopted on January 1, 1996
13 by the City of Savanna.

14 (178) If the ordinance was adopted on January 28, 2002
15 by the Village of Okawville.

16 (179) If the ordinance was adopted on October 4, 1999
17 by the City of Vandalia.

18 (180) If the ordinance was adopted on June 16, 2003 by
19 the City of Rushville.

20 (181) If the ordinance was adopted on December 7, 1998
21 by the City of Quincy for the Central Business District
22 West Tax Increment Redevelopment Project Area.

23 (182) If the ordinance was adopted on March 27, 1997
24 by the Village of Maywood approving the Roosevelt Road TIF
25 District.

26 (183) If the ordinance was adopted on March 27, 1997

1 by the Village of Maywood approving the Madison
2 Street/Fifth Avenue TIF District.

3 (184) If the ordinance was adopted on November 10,
4 1997 by the Village of Park Forest.

5 (185) If the ordinance was adopted on July 30, 1997 by
6 the City of Chicago to create the Near North TIF district.

7 (186) If the ordinance was adopted on December 1, 2000
8 by the Village of Mahomet.

9 (187) If the ordinance was adopted on June 16, 1999 by
10 the Village of Washburn.

11 (188) If the ordinance was adopted on August 19, 1998
12 by the Village of New Berlin.

13 (189) If the ordinance was adopted on February 5, 2002
14 by the City of Highwood.

15 (190) If the ordinance was adopted on June 1, 1997 by
16 the City of Flora.

17 (191) If the ordinance was adopted on August 17, 1999
18 by the City of Ottawa.

19 (192) If the ordinance was adopted on June 13, 2005 by
20 the City of Mount Carroll.

21 (193) If the ordinance was adopted on March 25, 2008
22 by the Village of Elizabeth.

23 (194) If the ordinance was adopted on February 22,
24 2000 by the City of Mount Pulaski.

25 (195) If the ordinance was adopted on November 21,
26 2000 by the City of Effingham.

1 (196) If the ordinance was adopted on January 28, 2003
2 by the City of Effingham.

3 (197) If the ordinance was adopted on February 4, 2008
4 by the City of Polo.

5 (198) If the ordinance was adopted on August 17, 2005
6 by the Village of Bellwood to create the Park Place TIF.

7 (199) If the ordinance was adopted on July 16, 2014 by
8 the Village of Bellwood to create the North-2014 TIF.

9 (200) If the ordinance was adopted on July 16, 2014 by
10 the Village of Bellwood to create the South-2014 TIF.

11 (201) If the ordinance was adopted on July 16, 2014 by
12 the Village of Bellwood to create the Central Metro-2014
13 TIF.

14 (202) If the ordinance was adopted on September 17,
15 2014 by the Village of Bellwood to create the Addison
16 Creek "A" (Southwest)-2014 TIF.

17 (203) If the ordinance was adopted on September 17,
18 2014 by the Village of Bellwood to create the Addison
19 Creek "B" (Northwest)-2014 TIF.

20 (204) If the ordinance was adopted on September 17,
21 2014 by the Village of Bellwood to create the Addison
22 Creek "C" (Northeast)-2014 TIF.

23 (205) If the ordinance was adopted on September 17,
24 2014 by the Village of Bellwood to create the Addison
25 Creek "D" (Southeast)-2014 TIF.

26 (206) If the ordinance was adopted on June 26, 2007 by

1 the City of Peoria.

2 (207) If the ordinance was adopted on October 28, 2008
3 by the City of Peoria.

4 (208) If the ordinance was adopted on April 4, 2000 by
5 the City of Joliet to create the Joliet City Center TIF
6 District.

7 (209) If the ordinance was adopted on July 8, 1998 by
8 the City of Chicago to create the 43rd/Cottage Grove TIF
9 district.

10 (210) If the ordinance was adopted on July 8, 1998 by
11 the City of Chicago to create the 79th Street Corridor TIF
12 district.

13 (211) If the ordinance was adopted on November 4, 1998
14 by the City of Chicago to create the Bronzeville TIF
15 district.

16 (212) If the ordinance was adopted on February 5, 1998
17 by the City of Chicago to create the Homan/Arthington TIF
18 district.

19 (213) If the ordinance was adopted on December 8, 1998
20 by the Village of Plainfield.

21 (214) If the ordinance was adopted on July 17, 2000 by
22 the Village of Homer.

23 (215) If the ordinance was adopted on December 27,
24 2006 by the City of Greenville.

25 (216) If the ordinance was adopted on June 10, 1998 by
26 the City of Chicago to create the Kinzie Industrial TIF

1 district.

2 (217) If the ordinance was adopted on December 2, 1998
3 by the City of Chicago to create the Northwest Industrial
4 TIF district.

5 (218) If the ordinance was adopted on June 10, 1998 by
6 the City of Chicago to create the Pilsen Industrial TIF
7 district.

8 (219) If the ordinance was adopted on January 14, 1997
9 by the City of Chicago to create the 35th/Halsted TIF
10 district.

11 (220) If the ordinance was adopted on June 9, 1999 by
12 the City of Chicago to create the Pulaski Corridor TIF
13 district.

14 (221) If the ordinance was adopted on December 16,
15 1997 by the City of Springfield to create the Enos Park
16 Neighborhood TIF District.

17 (222) If the ordinance was adopted on February 5, 1998
18 by the City of Chicago to create the Roosevelt/Cicero
19 redevelopment project area.

20 (223) If the ordinance was adopted on February 5, 1998
21 by the City of Chicago to create the Western/Ogden
22 redevelopment project area.

23 (224) If the ordinance was adopted on July 21, 1999 by
24 the City of Chicago to create the 24th/Michigan Avenue
25 redevelopment project area.

26 (225) If the ordinance was adopted on January 20, 1999

1 by the City of Chicago to create the Woodlawn
2 redevelopment project area.

3 (226) If the ordinance was adopted on July 7, 1999 by
4 the City of Chicago to create the Clark/Montrose
5 redevelopment project area.

6 (227) If the ordinance was adopted on November 4, 2003
7 by the City of Madison to create the Rivers Edge
8 redevelopment project area.

9 (228) If the ordinance was adopted on August 12, 2003
10 by the City of Madison to create the Caine Street
11 redevelopment project area.

12 (229) If the ordinance was adopted on March 7, 2000 by
13 the City of Madison to create the East Madison TIF.

14 (230) If the ordinance was adopted on August 3, 2001
15 by the Village of Aviston.

16 (231) If the ordinance was adopted on August 22, 2011
17 by the Village of Warren.

18 (232) If the ordinance was adopted on April 8, 1999 by
19 the City of Farmer City.

20 (233) If the ordinance was adopted on August 4, 1999
21 by the Village of Fairmont City.

22 (234) If the ordinance was adopted on October 2, 1999
23 by the Village of Fairmont City.

24 (235) If the ordinance was adopted December 16, 1999
25 by the City of Springfield.

26 (d) For redevelopment project areas for which bonds were

1 issued before July 29, 1991, or for which contracts were
2 entered into before June 1, 1988, in connection with a
3 redevelopment project in the area within the State Sales Tax
4 Boundary, the estimated dates of completion of the
5 redevelopment project and retirement of obligations to finance
6 redevelopment project costs (including refunding bonds under
7 Section 11-74.4-7) may be extended by municipal ordinance to
8 December 31, 2013. The termination procedures of subsection
9 (b) of Section 11-74.4-8 are not required for these
10 redevelopment project areas in 2009 but are required in 2013.
11 The extension allowed by Public Act 87-1272 shall not apply to
12 real property tax increment allocation financing under Section
13 11-74.4-8.

14 (e) Those dates, for purposes of real property tax
15 increment allocation financing pursuant to Section 11-74.4-8
16 only, shall be not more than 35 years for redevelopment
17 project areas that were adopted on or after December 16, 1986
18 and for which at least \$8 million worth of municipal bonds were
19 authorized on or after December 19, 1989 but before January 1,
20 1990; provided that the municipality elects to extend the life
21 of the redevelopment project area to 35 years by the adoption
22 of an ordinance after at least 14 but not more than 30 days'
23 written notice to the taxing bodies, that would otherwise
24 constitute the joint review board for the redevelopment
25 project area, before the adoption of the ordinance.

26 (f) Those dates, for purposes of real property tax

1 increment allocation financing pursuant to Section 11-74.4-8
2 only, shall be not more than 35 years for redevelopment
3 project areas that were established on or after December 1,
4 1981 but before January 1, 1982 and for which at least
5 \$1,500,000 worth of tax increment revenue bonds were
6 authorized on or after September 30, 1990 but before July 1,
7 1991; provided that the municipality elects to extend the life
8 of the redevelopment project area to 35 years by the adoption
9 of an ordinance after at least 14 but not more than 30 days'
10 written notice to the taxing bodies, that would otherwise
11 constitute the joint review board for the redevelopment
12 project area, before the adoption of the ordinance.

13 (f-1) (Blank).

14 (f-2) (Blank).

15 (f-3) (Blank).

16 (f-5) Those dates, for purposes of real property tax
17 increment allocation financing pursuant to Section 11-74.4-8
18 only, shall be not more than 47 years for redevelopment
19 project areas listed in this subsection; provided that (i) the
20 municipality adopts an ordinance extending the life of the
21 redevelopment project area to 47 years and (ii) the
22 municipality provides notice to the taxing bodies that would
23 otherwise constitute the joint review board for the
24 redevelopment project area not more than 30 and not less than
25 14 days prior to the adoption of that ordinance:

26 (1) If the redevelopment project area was established

1 on December 29, 1981 by the City of Springfield.

2 (2) If the redevelopment project area was established
3 on December 29, 1986 by the City of Morris and that is
4 known as the Morris TIF District 1.

5 (3) If the redevelopment project area was established
6 on December 31, 1986 by the Village of Cahokia.

7 (4) If the redevelopment project area was established
8 on December 20, 1986 by the City of Charleston.

9 (5) If the redevelopment project area was established
10 on December 23, 1986 by the City of Beardstown.

11 (6) If the redevelopment project area was established
12 on December 23, 1986 by the Town of Cicero.

13 (7) If the redevelopment project area was established
14 on December 29, 1986 by the City of East St. Louis.

15 (8) If the redevelopment project area was established
16 on January 23, 1991 by the City of East St. Louis.

17 (9) If the redevelopment project area was established
18 on December 29, 1986 by the Village of Gardner.

19 (10) If the redevelopment project area was established
20 on June 11, 2002 by the City of East Peoria to create the
21 West Washington Street TIF.

22 (11) If the redevelopment project area was established
23 on December 22, 1986 by the City of Washington creating
24 the Washington Square TIF #2.

25 (12) If the redevelopment project area was established
26 on November 11, 1986 by the City of Pekin.

1 (13) If the redevelopment project area was established
2 on December 30, 1986 by the City of Belleville.

3 (14) If the ordinance was adopted on April 3, 1989 by
4 the City of Chicago Heights.

5 (g) In consolidating the material relating to completion
6 dates from Sections 11-74.4-3 and 11-74.4-7 into this Section,
7 it is not the intent of the General Assembly to make any
8 substantive change in the law, except for the extension of the
9 completion dates for the City of Aurora, the Village of Milan,
10 the City of West Frankfort, the Village of Libertyville, and
11 the Village of Hoffman Estates set forth under items (67),
12 (68), (69), (70), and (71) of subsection (c) of this Section.

13 (Source: P.A. 101-274, eff. 8-9-19; 101-618, eff. 12-20-19;
14 101-647, eff. 6-26-20; 101-662, eff. 4-2-21; 102-117, eff.
15 7-23-21; 102-424, eff. 8-20-21; 102-425, eff. 8-20-21;
16 102-446, eff. 8-20-21; 102-473, eff. 8-20-21; 102-627, eff.
17 8-27-21; 102-675, eff. 11-30-21.)

18 (65 ILCS 5/11-74.4-4) (from Ch. 24, par. 11-74.4-4)

19 Sec. 11-74.4-4. Municipal powers and duties; redevelopment
20 project areas. The changes made by this amendatory Act of the
21 91st General Assembly do not apply to a municipality that, (i)
22 before the effective date of this amendatory Act of the 91st
23 General Assembly, has adopted an ordinance or resolution
24 fixing a time and place for a public hearing under Section
25 11-74.4-5 or (ii) before July 1, 1999, has adopted an

1 ordinance or resolution providing for a feasibility study
2 under Section 11-74.4-4.1, but has not yet adopted an
3 ordinance approving redevelopment plans and redevelopment
4 projects or designating redevelopment project areas under this
5 Section, until after that municipality adopts an ordinance
6 approving redevelopment plans and redevelopment projects or
7 designating redevelopment project areas under this Section;
8 thereafter the changes made by this amendatory Act of the 91st
9 General Assembly apply to the same extent that they apply to
10 redevelopment plans and redevelopment projects that were
11 approved and redevelopment projects that were designated
12 before the effective date of this amendatory Act of the 91st
13 General Assembly.

14 A municipality may:

15 (a) By ordinance introduced in the governing body of
16 the municipality within 14 to 90 days from the completion
17 of the hearing specified in Section 11-74.4-5 approve
18 redevelopment plans and redevelopment projects, and
19 designate redevelopment project areas pursuant to notice
20 and hearing required by this Act. No redevelopment project
21 area shall be designated unless a plan and project are
22 approved prior to the designation of such area and such
23 area shall include only those contiguous parcels of real
24 property and improvements thereon substantially benefited
25 by the proposed redevelopment project improvements. Upon
26 adoption of the ordinances, the municipality shall

1 forthwith transmit to the county clerk of the county or
2 counties within which the redevelopment project area is
3 located a certified copy of the ordinances, a legal
4 description of the redevelopment project area, a map of
5 the redevelopment project area, identification of the year
6 that the county clerk shall use for determining the total
7 initial equalized assessed value of the redevelopment
8 project area consistent with subsection (a) of Section
9 11-74.4-9, and a list of the parcel or tax identification
10 number of each parcel of property included in the
11 redevelopment project area. For purposes of this Division,
12 parcels are contiguous if they touch or join one another
13 in a reasonably substantial physical sense or if they meet
14 the criteria for annexation to a municipality under
15 Section 7-1-1 of this Code.

16 The changes made by this amendatory Act of the 102nd
17 General Assembly, are declarative of existing law and
18 shall be applied retroactively when substantively
19 applicable, including all pending actions without regard
20 to when the cause of action accrued; however, this
21 amendatory Act of the 102nd General Assembly does not
22 affect the rights of any party that is subject to a final
23 judgment entered pursuant to the opinion of the September
24 23, 2021 Illinois Supreme Court in Board of Education of
25 Richland School District 88A v. City of Crest Hill, 2021
26 IL 126444.

1 (b) Make and enter into all contracts with property
2 owners, developers, tenants, overlapping taxing bodies,
3 and others necessary or incidental to the implementation
4 and furtherance of its redevelopment plan and project.
5 Contract provisions concerning loan repayment obligations
6 in contracts entered into on or after the effective date
7 of this amendatory Act of the 93rd General Assembly shall
8 terminate no later than the last to occur of the estimated
9 dates of completion of the redevelopment project and
10 retirement of the obligations issued to finance
11 redevelopment project costs as required by item (3) of
12 subsection (n) of Section 11-74.4-3. Payments received
13 under contracts entered into by the municipality prior to
14 the effective date of this amendatory Act of the 93rd
15 General Assembly that are received after the redevelopment
16 project area has been terminated by municipal ordinance
17 shall be deposited into a special fund of the municipality
18 to be used for other community redevelopment needs within
19 the redevelopment project area.

20 (c) Within a redevelopment project area, acquire by
21 purchase, donation, lease or eminent domain; own, convey,
22 lease, mortgage or dispose of land and other property,
23 real or personal, or rights or interests therein, and
24 grant or acquire licenses, easements and options with
25 respect thereto, all in the manner and at such price the
26 municipality determines is reasonably necessary to achieve

1 the objectives of the redevelopment plan and project. No
2 conveyance, lease, mortgage, disposition of land or other
3 property owned by a municipality, or agreement relating to
4 the development of such municipal property shall be made
5 except upon the adoption of an ordinance by the corporate
6 authorities of the municipality. Furthermore, no
7 conveyance, lease, mortgage, or other disposition of land
8 owned by a municipality or agreement relating to the
9 development of such municipal property shall be made
10 without making public disclosure of the terms of the
11 disposition and all bids and proposals made in response to
12 the municipality's request. The procedures for obtaining
13 such bids and proposals shall provide reasonable
14 opportunity for any person to submit alternative proposals
15 or bids.

16 (d) Within a redevelopment project area, clear any
17 area by demolition or removal of any existing buildings
18 and structures.

19 (e) Within a redevelopment project area, renovate or
20 rehabilitate or construct any structure or building, as
21 permitted under this Act.

22 (f) Install, repair, construct, reconstruct or
23 relocate streets, utilities and site improvements
24 essential to the preparation of the redevelopment area for
25 use in accordance with a redevelopment plan.

26 (g) Within a redevelopment project area, fix, charge

1 and collect fees, rents and charges for the use of any
2 building or property owned or leased by it or any part
3 thereof, or facility therein.

4 (h) Accept grants, guarantees and donations of
5 property, labor, or other things of value from a public or
6 private source for use within a project redevelopment
7 area.

8 (i) Acquire and construct public facilities within a
9 redevelopment project area, as permitted under this Act.

10 (j) Incur project redevelopment costs and reimburse
11 developers who incur redevelopment project costs
12 authorized by a redevelopment agreement; provided,
13 however, that on and after the effective date of this
14 amendatory Act of the 91st General Assembly, no
15 municipality shall incur redevelopment project costs
16 (except for planning costs and any other eligible costs
17 authorized by municipal ordinance or resolution that are
18 subsequently included in the redevelopment plan for the
19 area and are incurred by the municipality after the
20 ordinance or resolution is adopted) that are not
21 consistent with the program for accomplishing the
22 objectives of the redevelopment plan as included in that
23 plan and approved by the municipality until the
24 municipality has amended the redevelopment plan as
25 provided elsewhere in this Act.

26 (k) Create a commission of not less than 5 or more than

1 15 persons to be appointed by the mayor or president of the
2 municipality with the consent of the majority of the
3 governing board of the municipality. Members of a
4 commission appointed after the effective date of this
5 amendatory Act of 1987 shall be appointed for initial
6 terms of 1, 2, 3, 4 and 5 years, respectively, in such
7 numbers as to provide that the terms of not more than 1/3
8 of all such members shall expire in any one year. Their
9 successors shall be appointed for a term of 5 years. The
10 commission, subject to approval of the corporate
11 authorities may exercise the powers enumerated in this
12 Section. The commission shall also have the power to hold
13 the public hearings required by this division and make
14 recommendations to the corporate authorities concerning
15 the adoption of redevelopment plans, redevelopment
16 projects and designation of redevelopment project areas.

17 (1) Make payment in lieu of taxes or a portion thereof
18 to taxing districts. If payments in lieu of taxes or a
19 portion thereof are made to taxing districts, those
20 payments shall be made to all districts within a project
21 redevelopment area on a basis which is proportional to the
22 current collections of revenue which each taxing district
23 receives from real property in the redevelopment project
24 area.

25 (m) Exercise any and all other powers necessary to
26 effectuate the purposes of this Act.

1 (n) If any member of the corporate authority, a member
2 of a commission established pursuant to Section
3 11-74.4-4(k) of this Act, or an employee or consultant of
4 the municipality involved in the planning and preparation
5 of a redevelopment plan, or project for a redevelopment
6 project area or proposed redevelopment project area, as
7 defined in Sections 11-74.4-3(i) through (k) of this Act,
8 owns or controls an interest, direct or indirect, in any
9 property included in any redevelopment area, or proposed
10 redevelopment area, he or she shall disclose the same in
11 writing to the clerk of the municipality, and shall also
12 so disclose the dates and terms and conditions of any
13 disposition of any such interest, which disclosures shall
14 be acknowledged by the corporate authorities and entered
15 upon the minute books of the corporate authorities. If an
16 individual holds such an interest then that individual
17 shall refrain from any further official involvement in
18 regard to such redevelopment plan, project or area, from
19 voting on any matter pertaining to such redevelopment
20 plan, project or area, or communicating with other members
21 concerning corporate authorities, commission or employees
22 concerning any matter pertaining to said redevelopment
23 plan, project or area. Furthermore, no such member or
24 employee shall acquire of any interest direct, or
25 indirect, in any property in a redevelopment area or
26 proposed redevelopment area after either (a) such

1 individual obtains knowledge of such plan, project or area
2 or (b) first public notice of such plan, project or area
3 pursuant to Section 11-74.4-6 of this Division, whichever
4 occurs first. For the purposes of this subsection, a
5 property interest acquired in a single parcel of property
6 by a member of the corporate authority, which property is
7 used exclusively as the member's primary residence, shall
8 not be deemed to constitute an interest in any property
9 included in a redevelopment area or proposed redevelopment
10 area that was established before December 31, 1989, but
11 the member must disclose the acquisition to the municipal
12 clerk under the provisions of this subsection. A single
13 property interest acquired within one year after the
14 effective date of this amendatory Act of the 94th General
15 Assembly or 2 years after the effective date of this
16 amendatory Act of the 95th General Assembly by a member of
17 the corporate authority does not constitute an interest in
18 any property included in any redevelopment area or
19 proposed redevelopment area, regardless of when the
20 redevelopment area was established, if (i) the property is
21 used exclusively as the member's primary residence, (ii)
22 the member discloses the acquisition to the municipal
23 clerk under the provisions of this subsection, (iii) the
24 acquisition is for fair market value, (iv) the member
25 acquires the property as a result of the property being
26 publicly advertised for sale, and (v) the member refrains

1 from voting on, and communicating with other members
2 concerning, any matter when the benefits to the
3 redevelopment project or area would be significantly
4 greater than the benefits to the municipality as a whole.
5 For the purposes of this subsection, a month-to-month
6 leasehold interest in a single parcel of property by a
7 member of the corporate authority shall not be deemed to
8 constitute an interest in any property included in any
9 redevelopment area or proposed redevelopment area, but the
10 member must disclose the interest to the municipal clerk
11 under the provisions of this subsection.

12 (o) Create a Tax Increment Economic Development
13 Advisory Committee to be appointed by the Mayor or
14 President of the municipality with the consent of the
15 majority of the governing board of the municipality, the
16 members of which Committee shall be appointed for initial
17 terms of 1, 2, 3, 4 and 5 years respectively, in such
18 numbers as to provide that the terms of not more than 1/3
19 of all such members shall expire in any one year. Their
20 successors shall be appointed for a term of 5 years. The
21 Committee shall have none of the powers enumerated in this
22 Section. The Committee shall serve in an advisory capacity
23 only. The Committee may advise the governing Board of the
24 municipality and other municipal officials regarding
25 development issues and opportunities within the
26 redevelopment project area or the area within the State

1 Sales Tax Boundary. The Committee may also promote and
2 publicize development opportunities in the redevelopment
3 project area or the area within the State Sales Tax
4 Boundary.

5 (p) Municipalities may jointly undertake and perform
6 redevelopment plans and projects and utilize the
7 provisions of the Act wherever they have contiguous
8 redevelopment project areas or they determine to adopt tax
9 increment financing with respect to a redevelopment
10 project area which includes contiguous real property
11 within the boundaries of the municipalities, and in doing
12 so, they may, by agreement between municipalities, issue
13 obligations, separately or jointly, and expend revenues
14 received under the Act for eligible expenses anywhere
15 within contiguous redevelopment project areas or as
16 otherwise permitted in the Act. With respect to
17 redevelopment project areas that are established within a
18 transit facility improvement area, the provisions of this
19 subsection apply only with respect to such redevelopment
20 project areas that are contiguous to each other.

21 (q) Utilize revenues, other than State sales tax
22 increment revenues, received under this Act from one
23 redevelopment project area for eligible costs in another
24 redevelopment project area that is:

25 (i) contiguous to the redevelopment project area
26 from which the revenues are received;

1 (ii) separated only by a public right of way from
2 the redevelopment project area from which the revenues
3 are received; or

4 (iii) separated only by forest preserve property
5 from the redevelopment project area from which the
6 revenues are received if the closest boundaries of the
7 redevelopment project areas that are separated by the
8 forest preserve property are less than one mile apart.

9 Utilize tax increment revenues for eligible costs that
10 are received from a redevelopment project area created
11 under the Industrial Jobs Recovery Law that is either
12 contiguous to, or is separated only by a public right of
13 way from, the redevelopment project area created under
14 this Act which initially receives these revenues. Utilize
15 revenues, other than State sales tax increment revenues,
16 by transferring or loaning such revenues to a
17 redevelopment project area created under the Industrial
18 Jobs Recovery Law that is either contiguous to, or
19 separated only by a public right of way from the
20 redevelopment project area that initially produced and
21 received those revenues; and, if the redevelopment project
22 area (i) was established before the effective date of this
23 amendatory Act of the 91st General Assembly and (ii) is
24 located within a municipality with a population of more
25 than 100,000, utilize revenues or proceeds of obligations
26 authorized by Section 11-74.4-7 of this Act, other than

1 use or occupation tax revenues, to pay for any
2 redevelopment project costs as defined by subsection (q)
3 of Section 11-74.4-3 to the extent that the redevelopment
4 project costs involve public property that is either
5 contiguous to, or separated only by a public right of way
6 from, a redevelopment project area whether or not
7 redevelopment project costs or the source of payment for
8 the costs are specifically set forth in the redevelopment
9 plan for the redevelopment project area.

10 (r) If no redevelopment project has been initiated in
11 a redevelopment project area within 7 years after the area
12 was designated by ordinance under subsection (a), the
13 municipality shall adopt an ordinance repealing the area's
14 designation as a redevelopment project area; provided,
15 however, that if an area received its designation more
16 than 3 years before the effective date of this amendatory
17 Act of 1994 and no redevelopment project has been
18 initiated within 4 years after the effective date of this
19 amendatory Act of 1994, the municipality shall adopt an
20 ordinance repealing its designation as a redevelopment
21 project area. Initiation of a redevelopment project shall
22 be evidenced by either a signed redevelopment agreement or
23 expenditures on eligible redevelopment project costs
24 associated with a redevelopment project.

25 Notwithstanding any other provision of this Section to
26 the contrary, with respect to a redevelopment project area

1 designated by an ordinance that was adopted on July 29,
2 1998 by the City of Chicago, the City of Chicago shall
3 adopt an ordinance repealing the area's designation as a
4 redevelopment project area if no redevelopment project has
5 been initiated in the redevelopment project area within 15
6 years after the designation of the area. The City of
7 Chicago may retroactively repeal any ordinance adopted by
8 the City of Chicago, pursuant to this subsection (r), that
9 repealed the designation of a redevelopment project area
10 designated by an ordinance that was adopted by the City of
11 Chicago on July 29, 1998. The City of Chicago has 90 days
12 after the effective date of this amendatory Act to repeal
13 the ordinance. The changes to this Section made by this
14 amendatory Act of the 96th General Assembly apply
15 retroactively to July 27, 2005.

16 (s) The various powers and duties described in this
17 Section that apply to a redevelopment project area shall
18 also apply to a transit facility improvement area
19 established prior to, on, or after the effective date of
20 this amendatory Act of the 102nd General Assembly.

21 (Source: P.A. 102-627, eff. 8-27-21.)

22 (65 ILCS 5/11-74.6-10)

23 Sec. 11-74.6-10. Definitions.

24 (a) "Environmentally contaminated area" means any improved
25 or vacant area within the boundaries of a redevelopment

1 project area located within the corporate limits of a
2 municipality when, (i) there has been a determination of
3 release or substantial threat of release of a hazardous
4 substance or pesticide, by the United States Environmental
5 Protection Agency or the Illinois Environmental Protection
6 Agency, or the Illinois Pollution Control Board, or any court,
7 or a release or substantial threat of release which is
8 addressed as part of the Pre-Notice Site Cleanup Program under
9 Section 22.2(m) of the Illinois Environmental Protection Act,
10 or a release or substantial threat of release of petroleum
11 under Section 22.12 of the Illinois Environmental Protection
12 Act, and (ii) which release or threat of release presents an
13 imminent and substantial danger to public health or welfare or
14 presents a significant threat to public health or the
15 environment, and (iii) which release or threat of release
16 would have a significant impact on the cost of redeveloping
17 the area.

18 (b) "Department" means the Department of Commerce and
19 Economic Opportunity.

20 (c) "Industrial park" means an area in a redevelopment
21 project area suitable for use by any manufacturing,
22 industrial, research, or transportation enterprise, of
23 facilities, including but not limited to factories, mills,
24 processing plants, assembly plants, packing plants,
25 fabricating plants, distribution centers, warehouses, repair
26 overhaul or service facilities, freight terminals, research

1 facilities, test facilities or railroad facilities. An
2 industrial park may contain space for commercial and other use
3 as long as the expected principal use of the park is industrial
4 and is reasonably expected to result in the creation of a
5 significant number of new permanent full time jobs. An
6 industrial park may also contain related operations and
7 facilities including, but not limited to, business and office
8 support services such as centralized computers,
9 telecommunications, publishing, accounting, photocopying and
10 similar activities and employee services such as child care,
11 health care, food service and similar activities. An
12 industrial park may also include demonstration projects,
13 prototype development, specialized training on developing
14 technology, and pure research in any field related or
15 adaptable to business and industry.

16 (d) "Research park" means an area in a redevelopment
17 project area suitable for development of a facility or complex
18 that includes research laboratories and related operations.
19 These related operations may include, but are not limited to,
20 business and office support services such as centralized
21 computers, telecommunications, publishing, accounting,
22 photocopying and similar activities, and employee services
23 such as child care, health care, food service and similar
24 activities. A research park may include demonstration
25 projects, prototype development, specialized training on
26 developing technology, and pure research in any field related

1 or adaptable to business and industry.

2 (e) "Industrial park conservation area" means an area
3 within the boundaries of a redevelopment project area located
4 within the corporate limits of a municipality or within 1 1/2
5 miles of the corporate limits of a municipality if the area is
6 to be annexed to the municipality, if the area is zoned as
7 industrial no later than the date on which the municipality by
8 ordinance designates the redevelopment project area, and if
9 the area includes improved or vacant land suitable for use as
10 an industrial park or a research park, or both. To be
11 designated as an industrial park conservation area, the area
12 shall also satisfy one of the following standards:

13 (1) Standard One: The municipality must be a labor
14 surplus municipality and the area must be served by
15 adequate public and or road transportation for access by
16 the unemployed and for the movement of goods or materials
17 and the redevelopment project area shall contain no more
18 than 2% of the most recently ascertained equalized
19 assessed value of all taxable real properties within the
20 corporate limits of the municipality after adjustment for
21 all annexations associated with the establishment of the
22 redevelopment project area or be located in the vicinity
23 of a waste disposal site or other waste facility. The
24 project plan shall include a plan for and shall establish
25 a marketing program to attract appropriate businesses to
26 the proposed industrial park conservation area and shall

1 include an adequate plan for financing and construction of
2 the necessary infrastructure. No redevelopment projects
3 may be authorized by the municipality under Standard One
4 of subsection (e) of this Section unless the project plan
5 also provides for an employment training project that
6 would prepare unemployed workers for work in the
7 industrial park conservation area, and the project has
8 been approved by official action of or is to be operated by
9 the local community college district, public school
10 district or state or locally designated private industry
11 council or successor agency, or

12 (2) Standard Two: The municipality must be a
13 substantial labor surplus municipality and the area must
14 be served by adequate public and or road transportation
15 for access by the unemployed and for the movement of goods
16 or materials and the redevelopment project area shall
17 contain no more than 2% of the most recently ascertained
18 equalized assessed value of all taxable real properties
19 within the corporate limits of the municipality after
20 adjustment for all annexations associated with the
21 establishment of the redevelopment project area. No
22 redevelopment projects may be authorized by the
23 municipality under Standard Two of subsection (e) of this
24 Section unless the project plan also provides for an
25 employment training project that would prepare unemployed
26 workers for work in the industrial park conservation area,

1 and the project has been approved by official action of or
2 is to be operated by the local community college district,
3 public school district or state or locally designated
4 private industry council or successor agency.

5 (f) "Vacant industrial buildings conservation area" means
6 an area containing one or more industrial buildings located
7 within the corporate limits of the municipality that has been
8 zoned industrial for at least 5 years before the designation
9 of that area as a redevelopment project area by the
10 municipality and is planned for reuse principally for
11 industrial purposes. For the area to be designated as a vacant
12 industrial buildings conservation area, the area shall also
13 satisfy one of the following standards:

14 (1) Standard One: The area shall consist of one or
15 more industrial buildings totaling at least 50,000 net
16 square feet of industrial space, with a majority of the
17 total area of all the buildings having been vacant for at
18 least 18 months; and (A) the area is located in a labor
19 surplus municipality or a substantial labor surplus
20 municipality, or (B) the equalized assessed value of the
21 properties within the area during the last 2 years is at
22 least 25% lower than the maximum equalized assessed value
23 of those properties during the immediately preceding 10
24 years.

25 (2) Standard Two: The area exclusively consists of
26 industrial buildings or a building complex operated by a

1 user or related users (A) that has within the immediately
2 preceding 5 years either (i) employed 200 or more
3 employees at that location, or (ii) if the area is located
4 in a municipality with a population of 12,000 or less,
5 employed more than 50 employees at that location and (B)
6 either is currently vacant, or the owner has: (i) directly
7 notified the municipality of the user's intention to
8 terminate operations at the facility or (ii) filed a
9 notice of closure under the Worker Adjustment and
10 Retraining Notification Act.

11 (g) "Labor surplus municipality" means a municipality in
12 which, during the 4 calendar years immediately preceding the
13 date the municipality by ordinance designates an industrial
14 park conservation area, the average unemployment rate was 1%
15 or more over the State average unemployment rate for that same
16 period of time as published in the United States Department of
17 Labor Bureau of Labor Statistics publication entitled "The
18 Employment Situation" or its successor publication. For the
19 purpose of this subsection (g), if unemployment rate
20 statistics for the municipality are not available, the
21 unemployment rate in the municipality shall be deemed to be:
22 (i) for a municipality that is not in an urban county, the same
23 as the unemployment rate in the principal county where the
24 municipality is located or (ii) for a municipality in an urban
25 county at that municipality's option, either the unemployment
26 rate certified for the municipality by the Department after

1 consultation with the Illinois Department of Labor or the
2 federal Bureau of Labor Statistics, or the unemployment rate
3 of the municipality as determined by the most recent federal
4 census if that census was not dated more than 5 years prior to
5 the date on which the determination is made.

6 (h) "Substantial labor surplus municipality" means a
7 municipality in which, during the 5 calendar years immediately
8 preceding the date the municipality by ordinance designates an
9 industrial park conservation area, the average unemployment
10 rate was 2% or more over the State average unemployment rate
11 for that same period of time as published in the United States
12 Department of Labor Statistics publication entitled "The
13 Employment Situation" or its successor publication. For the
14 purpose of this subsection (h), if unemployment rate
15 statistics for the municipality are not available, the
16 unemployment rate in the municipality shall be deemed to be:

17 (i) for a municipality that is not in an urban county, the same
18 as the unemployment rate in the principal county in which the
19 municipality is located; or (ii) for a municipality in an
20 urban county, at that municipality's option, either the
21 unemployment rate certified for the municipality by the
22 Department after consultation with the Illinois Department of
23 Labor or the federal Bureau of Labor Statistics, or the
24 unemployment rate of the municipality as determined by the
25 most recent federal census if that census was not dated more
26 than 5 years prior to the date on which the determination is

1 made.

2 (i) "Municipality" means a city, village or incorporated
3 town.

4 (j) "Obligations" means bonds, loans, debentures, notes,
5 special certificates or other evidence of indebtedness issued
6 by the municipality to carry out a redevelopment project or to
7 refund outstanding obligations.

8 (k) "Payment in lieu of taxes" means those estimated tax
9 revenues from real property in a redevelopment project area
10 derived from real property that has been acquired by a
11 municipality, which according to the redevelopment project or
12 plan are to be used for a private use, that taxing districts
13 would have received had a municipality not acquired the real
14 property and adopted tax increment allocation financing and
15 that would result from levies made after the time of the
16 adoption of tax increment allocation financing until the time
17 the current equalized assessed value of real property in the
18 redevelopment project area exceeds the total initial equalized
19 assessed value of real property in that area.

20 (l) "Redevelopment plan" means the comprehensive program
21 of the municipality for development or redevelopment intended
22 by the payment of redevelopment project costs to reduce or
23 eliminate the conditions that qualified the redevelopment
24 project area or redevelopment planning area, or both, as an
25 environmentally contaminated area or industrial park
26 conservation area, or vacant industrial buildings conservation

1 area, or combination thereof, and thereby to enhance the tax
2 bases of the taxing districts that extend into the
3 redevelopment project area or redevelopment planning area. On
4 and after the effective date of this amendatory Act of the 91st
5 General Assembly, no redevelopment plan may be approved or
6 amended to include the development of vacant land (i) with a
7 golf course and related clubhouse and other facilities or (ii)
8 designated by federal, State, county, or municipal government
9 as public land for outdoor recreational activities or for
10 nature preserves and used for that purpose within 5 years
11 prior to the adoption of the redevelopment plan. For the
12 purpose of this subsection, "recreational activities" is
13 limited to mean camping and hunting. Each redevelopment plan
14 must set forth in writing the bases for the municipal findings
15 required in this subsection, the program to be undertaken to
16 accomplish the objectives, including but not limited to: (1)
17 an itemized list of estimated redevelopment project costs, (2)
18 evidence indicating that the redevelopment project area or the
19 redevelopment planning area, or both, on the whole has not
20 been subject to growth and development through investment by
21 private enterprise, (3) (i) in the case of an environmentally
22 contaminated area, industrial park conservation area, or a
23 vacant industrial buildings conservation area classified under
24 either Standard One, or Standard Two of subsection (f) where
25 the building is currently vacant, evidence that implementation
26 of the redevelopment plan is reasonably expected to create a

1 significant number of permanent full time jobs, (ii) in the
2 case of a vacant industrial buildings conservation area
3 classified under Standard Two (B)(i) or (ii) of subsection
4 (f), evidence that implementation of the redevelopment plan is
5 reasonably expected to retain a significant number of existing
6 permanent full time jobs, and (iii) in the case of a
7 combination of an environmentally contaminated area,
8 industrial park conservation area, or vacant industrial
9 buildings conservation area, evidence that the standards
10 concerning the creation or retention of jobs for each area set
11 forth in (i) or (ii) above are met, (4) an assessment of the
12 financial impact of the redevelopment project area or the
13 redevelopment planning area, or both, on the overlapping
14 taxing bodies or any increased demand for services from any
15 taxing district affected by the plan and any program to
16 address such financial impact or increased demand, (5) the
17 sources of funds to pay costs, (6) the nature and term of the
18 obligations to be issued, (7) the most recent equalized
19 assessed valuation of the redevelopment project area or the
20 redevelopment planning area, or both, (8) an estimate of the
21 equalized assessed valuation after redevelopment and the
22 general land uses that are applied in the redevelopment
23 project area or the redevelopment planning area, or both, (9)
24 a commitment to fair employment practices and an affirmative
25 action plan, (10) if it includes an industrial park
26 conservation area, the following: (i) a general description of

1 any proposed developer, (ii) user and tenant of any property,
2 (iii) a description of the type, structure and general
3 character of the facilities to be developed, and (iv) a
4 description of the type, class and number of new employees to
5 be employed in the operation of the facilities to be
6 developed, (11) if it includes an environmentally contaminated
7 area, the following: either (i) a determination of release or
8 substantial threat of release of a hazardous substance or
9 pesticide or of petroleum by the United States Environmental
10 Protection Agency or the Illinois Environmental Protection
11 Agency, or the Illinois Pollution Control Board or any court;
12 or (ii) both an environmental audit report by a nationally
13 recognized independent environmental auditor having a
14 reputation for expertise in these matters and a copy of the
15 signed Review and Evaluation Services Agreement indicating
16 acceptance of the site by the Illinois Environmental
17 Protection Agency into the Pre-Notice Site Cleanup Program,
18 (12) if it includes a vacant industrial buildings conservation
19 area, the following: (i) a general description of any proposed
20 developer, (ii) user and tenant of any building or buildings,
21 (iii) a description of the type, structure and general
22 character of the building or buildings to be developed, and
23 (iv) a description of the type, class and number of new
24 employees to be employed or existing employees to be retained
25 in the operation of the building or buildings to be
26 redeveloped, and (13) if property is to be annexed to the

1 municipality, the terms of the annexation agreement.

2 No redevelopment plan shall be adopted by a municipality
3 without findings that:

4 (1) the redevelopment project area or redevelopment
5 planning area, or both, on the whole has not been subject
6 to growth and development through investment by private
7 enterprise and would not reasonably be anticipated to be
8 developed in accordance with public goals stated in the
9 redevelopment plan without the adoption of the
10 redevelopment plan;

11 (2) the redevelopment plan and project conform to the
12 comprehensive plan for the development of the municipality
13 as a whole, or, for municipalities with a population of
14 100,000 or more, regardless of when the redevelopment plan
15 and project was adopted, the redevelopment plan and
16 project either: (i) conforms to the strategic economic
17 development or redevelopment plan issued by the designated
18 planning authority of the municipality or (ii) includes
19 land uses that have been approved by the planning
20 commission of the municipality;

21 (3) that the redevelopment plan is reasonably expected
22 to create or retain a significant number of permanent full
23 time jobs as set forth in paragraph (3) of subsection (1)
24 above;

25 (4) the estimated date of completion of the
26 redevelopment project and retirement of obligations

1 incurred to finance redevelopment project costs is not
2 later than December 31 of the year in which the payment to
3 the municipal treasurer as provided in subsection (b) of
4 Section 11-74.6-35 is to be made with respect to ad
5 valorem taxes levied in the twenty-third calendar year
6 after the year in which the ordinance approving the
7 redevelopment project area is adopted; a municipality may
8 by municipal ordinance amend an existing redevelopment
9 plan to conform to this paragraph (4) as amended by this
10 amendatory Act of the 91st General Assembly concerning
11 ordinances adopted on or after January 15, 1981, which
12 municipal ordinance may be adopted without further hearing
13 or notice and without complying with the procedures
14 provided in this Law pertaining to an amendment to or the
15 initial approval of a redevelopment plan and project and
16 designation of a redevelopment project area;

17 (5) in the case of an industrial park conservation
18 area, that the municipality is a labor surplus
19 municipality or a substantial labor surplus municipality
20 and that the implementation of the redevelopment plan is
21 reasonably expected to create a significant number of
22 permanent full time new jobs and, by the provision of new
23 facilities, significantly enhance the tax base of the
24 taxing districts that extend into the redevelopment
25 project area;

26 (6) in the case of an environmentally contaminated

1 area, that the area is subject to a release or substantial
2 threat of release of a hazardous substance, pesticide or
3 petroleum which presents an imminent and substantial
4 danger to public health or welfare or presents a
5 significant threat to public health or environment, that
6 such release or threat of release will have a significant
7 impact on the cost of redeveloping the area, that the
8 implementation of the redevelopment plan is reasonably
9 expected to result in the area being redeveloped, the tax
10 base of the affected taxing districts being significantly
11 enhanced thereby, and the creation of a significant number
12 of permanent full time jobs; and

13 (7) in the case of a vacant industrial buildings
14 conservation area, that the area is located within the
15 corporate limits of a municipality that has been zoned
16 industrial for at least 5 years before its designation as
17 a project redeveloped area, that it contains one or more
18 industrial buildings, and whether the area has been
19 designated under Standard One or Standard Two of
20 subsection (f) and the basis for that designation.

21 (m) "Redevelopment project" means any public or private
22 development project in furtherance of the objectives of a
23 redevelopment plan. On and after the effective date of this
24 amendatory Act of the 91st General Assembly, no redevelopment
25 plan may be approved or amended to include the development of
26 vacant land (i) with a golf course and related clubhouse and

1 other facilities or (ii) designated by federal, State, county,
2 or municipal government as public land for outdoor
3 recreational activities or for nature preserves and used for
4 that purpose within 5 years prior to the adoption of the
5 redevelopment plan. For the purpose of this subsection,
6 "recreational activities" is limited to mean camping and
7 hunting.

8 (n) "Redevelopment project area" means a contiguous area
9 designated by the municipality that is not less in the
10 aggregate than 1 1/2 acres, and for which the municipality has
11 made a finding that there exist conditions that cause the area
12 to be classified as an industrial park conservation area, a
13 vacant industrial building conservation area, an
14 environmentally contaminated area or a combination of these
15 types of areas. For purposes of this Division, parcels are
16 contiguous if they touch or join one another in a reasonably
17 substantial physical sense or if they meet the criteria for
18 annexation to a municipality under Section 7-1-1 of this Code.

19 The changes made by this amendatory Act of the 102nd
20 General Assembly, are declarative of existing law and shall be
21 applied retroactively when substantively applicable, including
22 all pending actions without regard to when the cause of action
23 accrued; however, this amendatory Act of the 102nd General
24 Assembly does not affect the rights of any party that is
25 subject to a final judgment entered pursuant to the opinion of
26 the September 23, 2021 Illinois Supreme Court in Board of

1 Education of Richland School District 88A v. City of Crest
2 Hill, 2021 IL 126444.

3 (o) "Redevelopment project costs" means the sum total of
4 all reasonable or necessary costs incurred or estimated to be
5 incurred by the municipality, and any of those costs
6 incidental to a redevelopment plan and a redevelopment
7 project. These costs include, without limitation, the
8 following:

9 (1) Costs of studies, surveys, development of plans,
10 and specifications, implementation and administration of
11 the redevelopment plan, staff and professional service
12 costs for architectural, engineering, legal, marketing,
13 financial, planning, or other services, but no charges for
14 professional services may be based on a percentage of the
15 tax increment collected; except that on and after the
16 effective date of this amendatory Act of the 91st General
17 Assembly, no contracts for professional services,
18 excluding architectural and engineering services, may be
19 entered into if the terms of the contract extend beyond a
20 period of 3 years. In addition, "redevelopment project
21 costs" shall not include lobbying expenses. After
22 consultation with the municipality, each tax increment
23 consultant or advisor to a municipality that plans to
24 designate or has designated a redevelopment project area
25 shall inform the municipality in writing of any contracts
26 that the consultant or advisor has entered into with

1 entities or individuals that have received, or are
2 receiving, payments financed by tax increment revenues
3 produced by the redevelopment project area with respect to
4 which the consultant or advisor has performed, or will be
5 performing, service for the municipality. This requirement
6 shall be satisfied by the consultant or advisor before the
7 commencement of services for the municipality and
8 thereafter whenever any other contracts with those
9 individuals or entities are executed by the consultant or
10 advisor;

11 (1.5) After July 1, 1999, annual administrative costs
12 shall not include general overhead or administrative costs
13 of the municipality that would still have been incurred by
14 the municipality if the municipality had not designated a
15 redevelopment project area or approved a redevelopment
16 plan;

17 (1.6) The cost of marketing sites within the
18 redevelopment project area to prospective businesses,
19 developers, and investors.

20 (2) Property assembly costs within a redevelopment
21 project area, including but not limited to acquisition of
22 land and other real or personal property or rights or
23 interests therein.

24 (3) Site preparation costs, including but not limited
25 to clearance of any area within a redevelopment project
26 area by demolition or removal of any existing buildings,

1 structures, fixtures, utilities and improvements and
2 clearing and grading; and including installation, repair,
3 construction, reconstruction, or relocation of public
4 streets, public utilities, and other public site
5 improvements within or without a redevelopment project
6 area which are essential to the preparation of the
7 redevelopment project area for use in accordance with a
8 redevelopment plan.

9 (4) Costs of renovation, rehabilitation,
10 reconstruction, relocation, repair or remodeling of any
11 existing public or private buildings, improvements, and
12 fixtures within a redevelopment project area; and the cost
13 of replacing an existing public building if pursuant to
14 the implementation of a redevelopment project the existing
15 public building is to be demolished to use the site for
16 private investment or devoted to a different use requiring
17 private investment.

18 (5) Costs of construction within a redevelopment
19 project area of public improvements, including but not
20 limited to, buildings, structures, works, utilities or
21 fixtures, except that on and after the effective date of
22 this amendatory Act of the 91st General Assembly,
23 redevelopment project costs shall not include the cost of
24 constructing a new municipal public building principally
25 used to provide offices, storage space, or conference
26 facilities or vehicle storage, maintenance, or repair for

1 administrative, public safety, or public works personnel
2 and that is not intended to replace an existing public
3 building as provided under paragraph (4) unless either (i)
4 the construction of the new municipal building implements
5 a redevelopment project that was included in a
6 redevelopment plan that was adopted by the municipality
7 prior to the effective date of this amendatory Act of the
8 91st General Assembly or (ii) the municipality makes a
9 reasonable determination in the redevelopment plan,
10 supported by information that provides the basis for that
11 determination, that the new municipal building is required
12 to meet an increase in the need for public safety purposes
13 anticipated to result from the implementation of the
14 redevelopment plan.

15 (6) Costs of eliminating or removing contaminants and
16 other impediments required by federal or State
17 environmental laws, rules, regulations, and guidelines,
18 orders or other requirements or those imposed by private
19 lending institutions as a condition for approval of their
20 financial support, debt or equity, for the redevelopment
21 projects, provided, however, that in the event (i) other
22 federal or State funds have been certified by an
23 administrative agency as adequate to pay these costs
24 during the 18 months after the adoption of the
25 redevelopment plan, or (ii) the municipality has been
26 reimbursed for such costs by persons legally responsible

1 for them, such federal, State, or private funds shall,
2 insofar as possible, be fully expended prior to the use of
3 any revenues deposited in the special tax allocation fund
4 of the municipality and any other such federal, State or
5 private funds received shall be deposited in the fund. The
6 municipality shall seek reimbursement of these costs from
7 persons legally responsible for these costs and the costs
8 of obtaining this reimbursement.

9 (7) Costs of job training and retraining projects.

10 (8) Financing costs, including but not limited to all
11 necessary and incidental expenses related to the issuance
12 of obligations and which may include payment of interest
13 on any obligations issued under this Act including
14 interest accruing during the estimated period of
15 construction of any redevelopment project for which the
16 obligations are issued and for not exceeding 36 months
17 thereafter and including reasonable reserves related to
18 those costs.

19 (9) All or a portion of a taxing district's capital
20 costs resulting from the redevelopment project necessarily
21 incurred or to be incurred in furtherance of the
22 objectives of the redevelopment plan and project, to the
23 extent the municipality by written agreement accepts and
24 approves those costs.

25 (10) Relocation costs to the extent that a
26 municipality determines that relocation costs shall be

1 paid or is required to make payment of relocation costs by
2 federal or State law.

3 (11) Payments in lieu of taxes.

4 (12) Costs of job training, retraining, advanced
5 vocational education or career education, including but
6 not limited to courses in occupational, semi-technical or
7 technical fields leading directly to employment, incurred
8 by one or more taxing districts, if those costs are: (i)
9 related to the establishment and maintenance of additional
10 job training, advanced vocational education or career
11 education programs for persons employed or to be employed
12 by employers located in a redevelopment project area; and
13 (ii) are incurred by a taxing district or taxing districts
14 other than the municipality and are set forth in a written
15 agreement by or among the municipality and the taxing
16 district or taxing districts, which agreement describes
17 the program to be undertaken, including but not limited to
18 the number of employees to be trained, a description of
19 the training and services to be provided, the number and
20 type of positions available or to be available, itemized
21 costs of the program and sources of funds to pay for the
22 same, and the term of the agreement. These costs include,
23 specifically, the payment by community college districts
24 of costs under Sections 3-37, 3-38, 3-40 and 3-40.1 of the
25 Public Community College Act and by school districts of
26 costs under Sections 10-22.20a and 10-23.3a of the School

1 Code.

2 (13) The interest costs incurred by redevelopers or
3 other nongovernmental persons in connection with a
4 redevelopment project, and specifically including payments
5 to redevelopers or other nongovernmental persons as
6 reimbursement for such costs incurred by such redeveloper
7 or other nongovernmental person, provided that:

8 (A) interest costs shall be paid or reimbursed by
9 a municipality only pursuant to the prior official
10 action of the municipality evidencing an intent to pay
11 or reimburse such interest costs;

12 (B) such payments in any one year may not exceed
13 30% of the annual interest costs incurred by the
14 redeveloper with regard to the redevelopment project
15 during that year;

16 (C) except as provided in subparagraph (E), the
17 aggregate amount of such costs paid or reimbursed by a
18 municipality shall not exceed 30% of the total (i)
19 costs paid or incurred by the redeveloper or other
20 nongovernmental person in that year plus (ii)
21 redevelopment project costs excluding any property
22 assembly costs and any relocation costs incurred by a
23 municipality pursuant to this Act;

24 (D) interest costs shall be paid or reimbursed by
25 a municipality solely from the special tax allocation
26 fund established pursuant to this Act and shall not be

1 paid or reimbursed from the proceeds of any
2 obligations issued by a municipality;

3 (E) if there are not sufficient funds available in
4 the special tax allocation fund in any year to make
5 such payment or reimbursement in full, any amount of
6 such interest cost remaining to be paid or reimbursed
7 by a municipality shall accrue and be payable when
8 funds are available in the special tax allocation fund
9 to make such payment.

10 (14) The costs of construction of new privately owned
11 buildings shall not be an eligible redevelopment project
12 cost.

13 If a special service area has been established under the
14 Special Service Area Tax Act, then any tax increment revenues
15 derived from the tax imposed thereunder to the Special Service
16 Area Tax Act may be used within the redevelopment project area
17 for the purposes permitted by that Act as well as the purposes
18 permitted by this Act.

19 (p) "Redevelopment Planning Area" means an area so
20 designated by a municipality after the municipality has
21 complied with all the findings and procedures required to
22 establish a redevelopment project area, including the
23 existence of conditions that qualify the area as an industrial
24 park conservation area, or an environmentally contaminated
25 area, or a vacant industrial buildings conservation area, or a
26 combination of these types of areas, and adopted a

1 redevelopment plan and project for the planning area and its
2 included redevelopment project areas. The area shall not be
3 designated as a redevelopment planning area for more than 5
4 years, or 10 years in the case of a redevelopment planning area
5 in the City of Rockford. At any time in the 5 years, or 10
6 years in the case of the City of Rockford, following that
7 designation of the redevelopment planning area, the
8 municipality may designate the redevelopment planning area, or
9 any portion of the redevelopment planning area, as a
10 redevelopment project area without making additional findings
11 or complying with additional procedures required for the
12 creation of a redevelopment project area. An amendment of a
13 redevelopment plan and project in accordance with the findings
14 and procedures of this Act after the designation of a
15 redevelopment planning area at any time within the 5 years
16 after the designation of the redevelopment planning area, or
17 10 years after the designation of the redevelopment planning
18 area in the City of Rockford, shall not require new
19 qualification of findings for the redevelopment project area
20 to be designated within the redevelopment planning area.

21 The terms "redevelopment plan", "redevelopment project",
22 and "redevelopment project area" have the definitions set out
23 in subsections (l), (m), and (n), respectively.

24 (q) "Taxing districts" means counties, townships,
25 municipalities, and school, road, park, sanitary, mosquito
26 abatement, forest preserve, public health, fire protection,

1 river conservancy, tuberculosis sanitarium and any other
2 municipal corporations or districts with the power to levy
3 taxes.

4 (r) "Taxing districts' capital costs" means those costs of
5 taxing districts for capital improvements that are found by
6 the municipal corporate authorities to be necessary and a
7 direct result of the redevelopment project.

8 (s) "Urban county" means a county with 240,000 or more
9 inhabitants.

10 (t) "Vacant area", as used in subsection (a) of this
11 Section, means any parcel or combination of parcels of real
12 property without industrial, commercial and residential
13 buildings that has not been used for commercial agricultural
14 purposes within 5 years before the designation of the
15 redevelopment project area, unless that parcel is included in
16 an industrial park conservation area.

17 (Source: P.A. 96-606, eff. 8-24-09.)

18 Section 99. Effective date. This Act takes effect upon
19 becoming law."